

1F 2685 \$

Atty. Dkt. No. 040425-0153



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mariko MATSUMOTO, et al.
Title: PORTABLE RADIO TERMINAL
AND AFC CONTROL METHOD
Appl. No.: 10/052,777
Filing Date: 1/23/2002
Examiner: L. N. Le
Art Unit: 2685

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, NEC CORPORATION, having its principal place of business at 7-1, Shiba 5-chome, Minato-ku, Tokyo, JAPAN, represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 10/052,777, filed 1/23/2002, by virtue of an Assignment filed and recorded on 1/23/2002, on Reel/Frame 012526/0288, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX A. Further, your Petitioner represents that it is the owner of U.S. Patent Application No. 11/022,815, filed December 28, 2004, which is a divisional of U.S. Patent Application Serial No. 10/052,777, filed January 23, 2002, by virtue of the Assignment filed and recorded on January 23, 2002, on Reel/Frame 012526/0288, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX A.

Your Petitioner, NEC CORPORATION, hereby disclaims the terminal part of the term of any patent granted on U.S. Patent Application 10/052,777 which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of any patent granted on U.S. Patent Application 11/022,815, and hereby agrees that any patent so granted on U.S. Patent Application 10/052,777 shall be enforceable only for and during such period that the

legal title to any patent granted on U.S. Patent Application 11/022,815 shall be the same as the legal title to any patent granted on U.S. Patent Application 10/052,777, this agreement to run with any patent granted on U.S. Patent Application 10/052,777 and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on U.S. Patent Application 10/052,777, prior to the full statutory term of any patent granted on U.S. Patent Application 11/022,815 as defined in 35 U.S.C. §§154-156 and 173, in the event that any patent granted on U.S. Patent Application 11/022,815 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of any patent granted on U.S. Patent Application 11/022,815 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on U.S. Patent Application 10/052,777 that would extend beyond the present termination of any patent granted on U.S. Patent Application 11/022,815, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on U.S. Patent Application 10/052,777 to the extent provided by law.

The undersigned, being the Attorney of Record for U.S. Patent Application 10/052,777, and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the Assignment attached as APPENDIX A, and to the best of his knowledge and belief, legal title to U.S. Patent Application 10/052,777 and any patent granted on U.S. Patent Application 11/022,815 rests with Petitioner, NEC CORPORATION. The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or

imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Respectfully submitted,

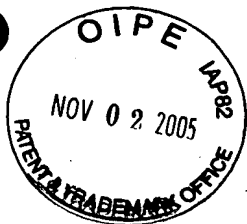
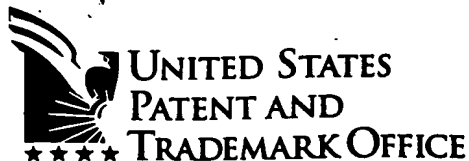
Date November 2, 2005

By Phillip J. Articola

FOLEY & LARDNER LLP
Customer Number 22428
Telephone: (202) 672-5300
Facsimile: (202) 672-5399

David A. Blumenthal
Attorney for Applicant
Registration No. 26,257

Phillip J. Articola
Attorney for Applicant
Registration No. 38,819



MARCH 28, 2002

PTAS

Chief Information Officer
Washington, DC 20231
www.uspto.gov

FOLEY & LARDNER
DAVID A. BLUMENTHAL
3000 K STREET, N.W., SUITE 500
WASHINGTON HARBOUR
WASHINGTON, DC 20007-5143



101970191A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/23/2002

REEL/FRAME: 012526/0288
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
MATSUMOTO, MARIKO

DOC DATE: 01/15/2002

ASSIGNOR:
ONO, SHIGERU

DOC DATE: 01/15/2002

ASSIGNEE:
NEC CORPORATION
7-1, SHIBA 5-CHOME
MINATO-KU, TOKYO, JAPAN

SERIAL NUMBER: 10052777
PATENT NUMBER:

FILING DATE: 01/23/2002
ISSUE DATE:

KIMBERLY WHITE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

ASSIGNMENT

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

name and NEC Corporation
address of 7-1, Shiba 5-chome, Minato-ku, Tokyo, Japan
assignee

(hereinafter ASSIGNEE) all right, title and interest for the United States, its territories and possessions in and to this invention relating to

title of PORTABLE RADIO TERMINAL AND AFC CONTROL METHOD
invention

as set forth in this United States Patent Application

check one ☒ executed concurrently herewith
☐ executed on _____
☐ Serial No. _____ Filed _____

in and to said United States Patent Application including any and all divisions or continuations thereof and in and to any and all Letters Patent of the United States which may issue on any such application or for said invention, including any and all reissues or extensions thereof, to be held and enjoyed by said ASSIGNEE, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not been made;

Each of the undersigned hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all such Letters Patent to said ASSIGNEE, its successors or assigns in accordance herewith;

Each of the undersigned warrants and covenants that he has the full and unencumbered right to sell and assign the interests herein sold and assigned and that he has not executed and will not execute any document or instrument in conflict herewith;

Each of the undersigned further covenants and agrees he will communicate to said ASSIGNEE, its successors, legal representatives or assigns all information known to him relating to said invention or patent application and that he will execute and deliver any papers, make all rightful oaths, testify in any legal proceedings and perform all other lawful acts deemed necessary or desirable by said ASSIGNEE, its successors, legal representatives or assigns to perfect title to said invention, to said application including divisions and continuations thereof and to any and all Letters Patent which may be granted therefor or thereon, including reissues or extensions, in said ASSIGNEE, its successors, or assigns or to assist said ASSIGNEE, its successors, legal representatives or assigns in obtaining, reissuing or enforcing Letters Patent of the United States for said invention;

Each of the undersigned hereby grants the firm of FOLEY & LARDNER the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

NAMES AND SIGNATURES OF INVENTORS		
Name: Mariko MATSUMOTO	Signature: <i>Mariko Matsumoto</i>	Date: 02/01/15
Name: Shigeru ONO	Signature: <i>Shigeru Ono</i>	Date: 02/01/15
Name:	Signature:	Date:
Name:	Signature:	Date:
Name:	Signature:	Date:
NAMES AND SIGNATURES OF WITNESSES		
Name: Takeshi MATSUMOTO	Signature: <i>Takeshi Matsumoto</i>	Date: 02/01/15
Name: Akira MUTO	Signature: <i>Akira Muto</i>	Date: 02/01/15

Note: *Prima facie* evidence of execution may optionally be obtained by execution of this document before a U.S. Consul or before a local officer authorized to administer oaths whose authority is proved by a certificate from a U.S. Consul.

02-04-2002

Atty. Dkt. No. 040425-0153

FORM PTO-1595 (modified)

(Rev 6-93)

RECO



EET

U.S. DEPARTMENT OF COMMERCE

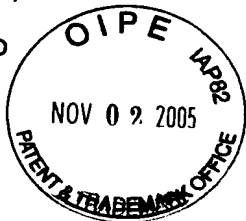
Patent and Trademark Office

1-23-02

101970191

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copies thereof.

1. Name of conveying party(ies):

Mariko MATSUMOTO
Shigeru ONO

2. Name and address of receiving party(ies):

NEC CORPORATION
7-1, Shiba 5-chome
Minato-ku, Tokyo, JAPAN

Additional conveying party(ies) NO

3. Nature of conveyance:

ASSIGNMENT

Execution Date:

January 15, 2002

Additional name(s) & address(es) attached? NO

4. Application number(s) or patent number(s):

10052777

If this is being filed together with a new application, the execution date of the application is:

January 15,
2002

A. Patent Application Number(s):

B. Patent Number(s):

Additional numbers attached? NO

5. Name and address of party to whom correspondence concerning document should be mailed:

David A. Blumenthal
FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143

6. Total number of applications/patents involved: 1

7. Total fee (37 C.F.R. § 3.41): \$40.00

☒ Check Enclosed

Charge to deposit account

8. Deposit account number: 19-0741

DO NOT USE THIS SPACE

9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above-identified deposit account.

Phillip J. Articola
David A. Blumenthal

01-23-02

Name of person signing

Signature

Date

Reg. No. 38,819

Total number of pages including cover sheet, attachments, and document: 3

01/28/2002 VTRUONG1 00000289 10052777

01 FC:581

40.00 OP